

House File 645

H-1128

1 Amend House File 645 as follows:

2 1. Page 1, by striking lines 12 through 22 and inserting:

3 <NEW SUBSECTION. 5. A court, or a presiding officer in a
4 contested case or other administrative action subject to this
5 chapter, when interpreting a state statute or a rule or other
6 agency document subject to this chapter, shall not defer to
7 an agency's interpretation of the statute, rule, or document,
8 and must instead interpret its meaning and effect de novo.
9 In an action brought by or against an agency, the court or
10 officer, after applying all customary tools of interpretation,
11 must exercise any remaining doubt in favor of a reasonable
12 interpretation that limits agency authority. This subsection
13 does not apply where a standard of review for an agency's
14 interpretation of a state statute or a rule or other agency
15 document is otherwise prescribed by statute, or by a rule if an
16 agency is authorized by statute to adopt a rule regarding such
17 a standard of review.>

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